

FROM: Executor-Michael-Howard-Reed.®TM.  
c/o P.O. Box. [33]  
Reed. Terre-Haute.  
Reed. Indiana.  
united states minor outlying island.  
near[47808-9998]

TO: U S Court House  
Court Clerk  
220 E Rosser AVE  
Room 476  
Bismarck, ND 58501

January 5, 2015

Dear Clerk:

Please file this Notice of Dishonor and Affidavit Notice of Fraud Upon the Court and Void nunc-pro-tunc Ab-initio by Res judicata in the case docket of Article III case nos. 4:09-cr-00076-DLH-CBK-1-2, 3:10-cv-00030-RRE-CBK, 1:10-cr-00041-DLH-CBK-1-2, this is evidence if this presenter claims I have obligations to perform or makes any more false claims against me in the future, a copy of this has been sent with the original Refusal for Dishonor and Void back to the presenter in a timely fashion see Certificate of Service;

USPS Delivery Confirmation # 9114 9011 8986 6974 619553  
01-05-2015

Respectfully

By

  
UCC 1-207

cc:

bcc:

UNITED STATES DISTRICT COURT  
for the DISTRICT OF NORTH DAKOTA  
Southwestern Division

United States of America,  
Plaintiff,

vs.

MICHAEL HOWARD REED,  
GREGORY ALLEN DAVIS,  
Defendant.

Case # 4:09-cr-00076-DLH-1-2  
# 3:10-cv-00030-RRE-CBK  
# 1:10-cr-00041-DLH-CBK-1-2

NOTICE OF DISHONOR AND AFFIDAVIT  
NOTICE OF FRAUD UPON THE COURT  
AND VOID NUNC-PRO-TUNC  
AB INITIO BY RES JUDICATA

NOTICE OF DISHONOR

ALL PRESENTMENTS INCLUDING BUT NOT LIMITED TO THOSE IN THE FORM OF "ARREST WARRANTS", "SEARCH WARRANTS" AND "NOTICES TO APPEAR" BEARING THE NAME OF MICHAEL HOWARD REED AS IDENTIFIED THEREON AS A "DEFENDANT" IN THE ABOVE-REFERENCED MATTERS, HAVE BEEN DISHONORED EFFECTIVE THE TIME AND DATE OF PRESENTMENT, AND ACCEPTANCE HAS BEEN REFUSED BY MICHAEL HOWARD REED BACK TO SAID TIME[S] AND DATE[S].

ACCEPTANCE HAS BEEN REFUSED FOR ALL REASONS CONSISTENT WITH DISHONOR, WHETHER STATED HEREIN OR NOT, AND INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

1. THE PLAINTIFF IN SAID PRESENTMENTS IS PROCEEDING AS A MERCHANT UNDER THE UNIFORM COMMERCIAL CODE["U.C.C."] IN VIOLATION OF THE SUPREME PUBLIC POLICY - THE PREAMBLE TO THE CONSTITUTION FOR THE UNITED STATES OF AMERICA[1787];
2. U.C.C. SECTION 10-103 IS INVALID IN THESE MATTERS;
3. THE "CHARGES" PRESENTED BY SAID PRESENTMENTS ARE FOR MERCHANTS PENAL DAMAGES ONLY, TO WHICH MICHAEL HOWARD REED, GREGORY ALLEN DAVIS ARE NOT SUBJECT, THUS THEY ARE NOT COLORABLE; EACH MERCHANT IN THIS MATTER IS A NUISANCE AND IS BOTH CULPABLE AND ACTIONABLE AS A NUISANCE;
4. IT IS AN IRREFUTABLE MATERIAL FACT THAT EACH JUDGE AND PROSECUTOR PARTICIPATED IN THESE MATTERS AS MERCHANTS IN TRANSACTION PER U.C.C. SECTION 2-104(1)(3) FRAUDULENTLY MISLEADING MICHAEL

UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT

United States of America,  
Plaintiff,

vs.

MICHAEL HOWARD REED,  
GREGORY ALLEN DAVIS,  
Defendant.

Case Nos. 10-2010  
10-2704  
10-3266  
10-1462

NOTICE OF DISHONOR AND AFFIDAVIT  
NOTICE OF FRAUD UPON THE COURT  
AND VOID NUNC-PRO-TUNC  
AB INITIO BY RES JUDICATA

NOTICE OF DISHONOR

ALL PRESENTMENTS INCLUDING BUT NOT LIMITED TO THOSE IN THE FORM OF "ARREST WARRANTS", "SEARCH WARRANTS" AND "NOTICES TO APPEAR" BEARING THE NAME OF MICHAEL HOWARD REED AS IDENTIFIED THEREON AS A "DEFENDANT" IN THE ABOVE-REFERENCED MATTERS, HAVE BEEN DISHONORED EFFECTIVE THE TIME AND DATE OF PRESENTMENT, AND ACCEPTANCE HAS BEEN REFUSED BY MICHAEL HOWARD REED BACK TO SAID TIME[S] AND DATE[S].

ACCEPTANCE HAS BEEN REFUSED FOR ALL REASONS CONSISTENT WITH DISHONOR, WHETHER STATED HEREIN OR NOT, AND INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

1. THE PLAINTIFF IN SAID PRESENTMENTS IS PROCEEDING AS A MERCHANT UNDER THE UNIFORM COMMERCIAL CODE["U.C.C."] IN VIOLATION OF THE SUPREME PUBLIC POLICY - THE PREAMBLE TO THE CONSTITUTION FOR THE UNITED STATES OF AMERICA[1787];
2. U.C.C. SECTION 10-103 IS INVALID IN THESE MATTERS;
3. THE "CHARGES" PRESENTED BY SAID PRESENTMENTS ARE FOR MERCHANTS PENAL DAMAGES ONLY, TO WHICH MICHAEL HOWARD REED, GREGORY ALLEN DAVIS ARE NOT SUBJECT, THUS THEY ARE NOT COLORABLE; EACH MERCHANT IN THIS MATTER IS A NUISANCE AND IS BOTH CULPABLE AND ACTIONABLE AS A NUISANCE;
4. IT IS AN IRREFUTABLE MATERIAL FACT THAT EACH JUDGE AND PROSECUTOR PARTICIPATED IN THESE MATTERS AS MERCHANTS IN TRANSACTION PER U.C.C. SECTION 2-104(1)(3) FRAUDULENTLY MISLEADING MICHAEL

HOWARD REED, GREGORY ALLEN DAVIS AND DENYING THEM REMEDY OF DISCHARGE OF LIABILITY U.C.C. SECTION 3-601(3) DUE FOR THEIR FRAUDULENT MISREPRESENTATION OF MATERIAL FACT, THEREIN CONCEDING TO U.C.C. SECTION 2-271; MICHAEL HOWARD REED, GREGORY ALLEN DAVIS NEVER ENTERED INTO COMMERCIAL UNDERSTANDING NOR CONTRACT WITH SAID MERCHANTS;

5. THE TRUE NATURE, FUNCTION AND EFFECT OF THE CAUSE AND PRESENTMENT WERE FRAUDULENTLY CONCEALED FROM MICHAEL HOWARD REED, GREGORY ALLEN DAVIS, PREVENTING THEM DULY DISHONOR AND DISCHARGE OF LIABILITY U.C.C. 3-601;

6. IGNORANCE IS NOT ACCEPTANCE, AQUIESCENCE NOR RATIFICATION, AND ACCEPTANCE OF SAID PRESENTMENTS WAS NEVER GIVEN BY MICHAEL HOWARD REED, GREGORY ALLEN DAVIS, AS EVIDENCED BY THIS NOTICE CLARIFYING THE RECORD OF REFUSAL, ab initio OF ACCEPTANCE OF SAID PRESENTMENTS;

7. MICHAEL HOWARD REED, GREGORY ALLEN DAVIS ARE NOT MERCHANTS, AND ARE NOT ATTRIBUTABLE UNDER U.C.C. SECTION 2-104(1), AND SUCH CLAUSE OF ATTRIBUTION IS INVALID IN THESE MATTERS;

8. MICHAEL HOWARD REED, GREGORY ALLEN DAVIS ARE NOT SUBJECT TO ENTRUSTING UNDER U.C.C. SECTION 2-403(2),(3);

9. MICHAEL HOWARD REED, GREGORY ALLEN DAVIS NEVER ADMITTED ANY MERCHANT'S CAPACITY FOR ENDORSING;

10. MICHAEL HOWARD REED, GREGORY ALLEN DAVIS ARE ENTITLED AS AN HEIR/SETTLOR/CREATOR FOR A GOVERNMENT NOT IN THE FORM/CAPACITY OF MERCHANT IN THESE MATTERS, WHICH ENTITLEMENT IS DENIED UNDER SAID PRESENTMENT;

11. SAID PRESENTMENTS AND PROCEEDINGS THEREUNDER CONSTITUTE UNLAWFUL CREATION OF ACCOUNT/PROCEEDS - U.C.C. SECTION 9-106; 9-206 AND 9-306, THUS EACH SUCH ACCOUNT/PROCEEDS PREJUDICE MICHAEL HOWARD REED, GREGORY ALLEN DAVIS AND IS REVOKED AND REPUDIATED (RECINDED) ab initio;

12. BY ITS ELECTION OF PRESENTMENT UNDER U.C.C., THE PLAINTIFF IS ESTOPPED FROM IMPAIRMENT OF DISCHARGE OF LIABILITY AND MICHAEL HOWARD REED, GREGORY ALLEN DAVIS ARE ENTITLED FOR DISCHARGING OF ALL LIABILITY UNDER U.C.C. 3-601; THIS, GUARANTEED THEM BY THE NINTH AMENDMENT FOR THE CONSTITUTION FOR THE UNITED STATES OF AMERICA AND THE "PLAINTIFF" HAS ASSENTED TO, IS IN ACCORD WITH, AND ADMITS MICHAEL HOWARD REED, GREGORY ALLEN DAVIS' RIGHT/REMEDY OF SATISFACTION BY DISCHARGE OF LIABILITY AS DEMONSTRATED IN PART BY "PLAINTIFF'S" CHOICE OF COMMERCIAL TRIBUNAL CONTRADISTINGUISHED FROM COURT OF JUSTICE;

13. MICHAEL HOWARD REED, GREGORY ALLEN DAVIS" UNLIMITED INTERESTS AND AFFIRMATIVE DEFENSES, EACH OF WHICH MICHAEL HOWARD REED, GREGORY ALLEN DAVIS ASSERT AND CLAIM BY THIS REFERENCE THERETO, FORM NOT WITHSTANDING, REQUIRE THEIR IMMEDIATE RELEASE FROM THESE FICTIONAL OBLIGATIONS, WITHOUT PREJUDICE, IN THE BEST INTERESTS OF JUSTICE.

County of Reed. VIGO )  
State of Reed. INDIANA ) ss Affidavit NOTICE of Fraud  
Upon the Court and Void  
Nunc-pro-tunc ab initio  
by res judicata

Affidavit- NOTICE of Fraud Upon the Court and Void  
Nunc-pro-tunc-ab-initio-by res judicata

INTRODUCTION

GREETINGS AND SALUTATIONS FOR YOU AND EACH OF YOU THIS NOTICE OF DISHONOR-PRESENTS-BY-AFFIDAVIT-OF-FRAUD-UPON-THE-COURT-VOID-COUNTER-CLAIM, MEMORANDUM-POINTS-OF-AUTHORITIES- AND - CONCLUSIONS-OF-LAW-BY-RES-JUDICATA-NUNC-PRO-TUNC, AB-INITIO; WHERE-INFOR THIS COMES IN HONOR-SUPER-PROTEST-FOR-DISHONOR; AND-THIS CURES ALL THE DEFECTS ALONG THE WAY; FOR THE FRAUDULENT - WRONG - DOING-FROM-ALL-EMPLOYEES-HIRELINGS-OF-WE-THE-PEOPLE: THIS WILL SERVE AS THE ABSTRACT FOR VOID AND RES JUDICATA, NUNC PRO TUNC; AND STATES AS FOLLOWS

1. WHO IS AN "OFFICER OF THE COURT"?
2. WHAT IS "FRAUD ON THE COURT"?
3. WHAT EFFECT DOES AN ACT OF 'FRAUD UPON THE COURT' HAVE UPON THE COURT PROCEEDING?
4. WHAT CAUSES THE 'DISQUALIFICATION OF JUDGES'?

1. WHO IS AN "OFFICER OF THE COURT"?

A JUDGE IS AN OFFICER OF THE COURT, AS WELL AS ARE ALL ATTORNEYS. A STATE JUDGE IS A STATE JUDICIAL OFFICER, PAID BY THE STATE TO ACT IMPARTIALLY AND LAWFULLY. A FEDERAL JUDGE IS A FEDERAL JUDICIAL OFFICER, PAID BY THE FEDERAL GOVERNMENT TO ACT IMPARTIALLY AND LAWFULLY. STATE AND FEDERAL ATTORNEYS FALL INTO THE SAME GENERAL CATEGORY AND MUST MEET THE SAME REQUIREMENTS. A JUDGE IS NOT THE COURT. PEOPLE v. ZAJIC, 88 Ill.App.3d 477, 410 N.E.2d 626(1980). AND

2. WHAT IS "FRAUD ON THE COURT"?

WHENEVER ANY OFFICER OF THE COURT COMMITS FRAUD DURING A PROCEEDING IN THE COURT, HE/SHE IS ENGAGED IN "FRAUD UPON THE COURT". IN BULLOCH v. UNITED STATES, 763 F.2d-1115,1121 (10th Cir. 1985), THE COURT STATED "FRAUD UPON THE COURT IS FRAUD WHICH

IS DIRECTED TO THE JUDICIAL MACHINERY ITSELF AND IS NOT FRAUD BETWEEN THE PARTIES OR FRAUDULENT DOCUMENTS, FALSE STATEMENTS OR PERJURY. ...IT IS WHERE THE COURT OR A MEMBER IS CORRUPTED OR INFLUENCED OR INFLUENCE IS ATTEMPTED OR WHERE THE JUDGE HAS NOT PERFORMED HIS JUDICIAL FUNCTION — THUS WHERE THE IMPARTIAL FUNCTIONS OF THE COURT HAVE BEEN DIRECTLY CORRUPTED".

"FRAUD UPON THE COURT" HAS BEEN DEFINED BY THE 7TH CIRCUIT COURT OF APPEALS TO "EMBRACE THAT SPECIES OF FRAUD WHICH DOES, OR ATTEMPTS TO, DEFILE THE COURT ITSELF, OR IS FRAUD PERPETRATED BY OFFICERS OF THE COURT SO THAT THE JUDICIAL MACHINERY CANNOT PERFORM IN THE USUAL MANNER ITS IMPARTIAL TASK OF ADJUDGING CASES THAT ARE PRESENTED FOR ADJUDICATION". KENNER v. C.I.R., 387 F.3d 689(7th Cir. 1988); 7 MOORE'S FEDERAL PRACTICE, 2d ed., p.512, ¶60.23. THE 7TH CIRCUIT FURTHER STATED "A DECISION PRODUCED BY FRAUD UPON THE COURT IS NOT IN ESSENCE A DECISION AT ALL, AND NEVER BECOMES FINAL".

3. WHAT EFFECT DOES AN ACT OF "FRAUD UPON THE COURT" HAVE UPON THE COURT PROCEEDING?

"FRAUD UPON THE COURT" MAKES VOID THE ORDERS AND JUDGMENTS OF THAT COURT. IT IS ALSO CLEAR AND WELL-SETTLED ILLINOIS LAW THAT ANY ATTEMPT TO COMMIT "FRAUD UPON THE COURT" VITIATES THE ENTIRE PROCEEDING. THE PEOPLE OF THE STATE OF ILLINOIS v. FRED E. STERLING, 357 Ill. 354; 192 N.E. 229(1934)("THE MAXIM THAT FRAUD VITIATES EVERY TRANSACTION INTO WHICH IT ENTERS APPLIES TO JUDGMENTS AS WELL AS TO CONTRACTS AND OTHER TRANSACTIONS."); ALLEN F. MOORE v. STANLEY F. SIEVERS, 336 Ill. 316; 168 N.E. 259 (1929)("THE MAXIM THAT FRAUD VITIATES EVERY TRANSACTION INTO WHICH IT ENTERS..."); IN RE VILLAGE OF WILLOWBROOK, 37 Ill.App.2d 393 (1962)("IT IS AXIOMATIC THAT FRAUD VITIATES EVERYTHING."); DUNHAM v. DUNHAM, 57 Ill.App. 475(1894), AFFIRMED 162 Ill. 589(1896); SKELLY OIL CO. v. UNIVERSAL OIL PRODUCTS CO., 388 Ill.App. 79,86 N.E.2d 875,883-4(1949); THOMAS STASEL v. THE AMERICAN HOME SECURITY CORPORATION, 362 Ill. 350; 199 N.E. 798(1935).

UNDER ILLINOIS AND FEDERAL LAW, WHEN ANY OFFICER OF THE COURT HAS COMMITTED "FRAUD UPON THE COURT," ORDERS AND JUDGMENTS OF THAT COURT ARE VOID, OF NO LEGAL FORCE OR EFFECT.

4. WHAT CAUSES THE "DISQUALIFICATION OF JUDGES?"

FEDERAL LAW REQUIRES THE AUTOMATIC DISQUALIFICATION OF A FEDERAL JUDGE UNDER CERTAIN CIRCUMSTANCES.

IN 1994, THE U.S. SUPREME COURT HELD THAT "DISQUALIFICATION IS REQUIRED IF AN OBJECTIVE OBSERVER WOULD ENTERTAIN REASONABLE QUESTIONS ABOUT THE JUDGE'S IMPARTIALITY. IF A JUDGE'S ATTITUDE OR STATE OF MIND LEADS A DETACHED OBSERVER TO CONCLUDE THAT A FAIR AND IMPARTIAL HEARING IS UNLIKELY, THE JUDGE MUST BE DISQUALIFIED".[EMPHASIS ADDED]. LITEKY v. U.S., 114 S.Ct. 1147, 1162(1994).



COURTS HAVE REPEATEDLY HELD THAT POSITIVE PROOF OF A JUDGE IS NOT A REQUIREMENT, ONLY THE APPEARANCE OF PARTIALITY. LILJE-  
BERG v. HEALTH SERVICES ACQUISITION CORP., 486 US 847, 108 S.Ct. 2194(1988)(WHAT MATTERS IS NOT THE REALITY OF BIAS OR PREJUDICE BUT ITS APPEARANCE); UNITED STATES v. BALISTRIERI, 779 F.2d 1191 (7th Cir. 1985)(Section 455(a)"IS DIRECTED AGAINST THE APPEARANCE OF PARIALITY, WHETHER OR NOT THE JUDGE IS ACTUALLY BIASED".( SECTION 455(a) OF THE JUDICIAL CODE, 28 U.S.C. §455(a), IS NOT INTENDED TO PROTECT LITIGANTS FROM ACTUAL BIAS IN THEIR JUDGE BUT RATHER TO PROMOTE PUBLIC CONFIDENCE IN THE IMPARTIALITY OF THE JUDICIAL PROCESS".)).

THAT COURT ALSO STATED THAT SECTION 455(a) "REQUIRES A JUDGE TO RECUSE HIMSELF IN ANY PROCEEDING IN WHICH HER IMPARTIALITY MIGHT REASONABLY BE QUESTIONED". TAYLOR v. O'GRADY, 888 F.2d 1189(7th Cir. 1989). IN PFIZER, INC. v. LORD, 456 F.2d 532 (8th Cir. 1972); THE COURT STATED THAT "IT IS IMPORTANT THAT THE LITIGANT NOT ONLY ACTUALLY RECEIVE JUSTICE, BUT THAT HE BELIEVES THAT HE HAS RECEIVED JUSTICE".

THE SUPREME COURT HAS RULED AND HAS REAFFIRMED THE PRINCIPLE THAT "JUSTICE MUST SATISFY THE APPEARANCE OF JUSTICE," LEVINE v. UNITED STATES, 362 US 610, 80 S.Ct. 1038(1960), CITING OFFUTT v. UNITED STATES, 348 US 11, 14, 75 S.Ct. 11, 13(1954). A JUDGE RECEIVING A BRIBE FROM AN INTERESTED PARTY OVER WHICH HE IS PRESIDING, DOES NOT GIVE THE APPEARANCE OF JUSTICE.

"RECUSAL UNDER SECTION 455 IS SELF-EXECUTING; A PARTY NEED NOT FILE AFFIDAVITS IN SUPPORT OF RECUSAL AND THE JUDGE IS OBLIGATED TO RECUSE HERSELF SUA SPONTE UNDER THE STATED CIRCUMSTANCES". TAYLOR v. O'GRADY, 888 F.2d 1189(7th Cir. 1989).

FURTHER, THE JUDGE HAS A LEGAL DUTY TO DISQUALIFY HIMSELF EVEN IF THERE IS NO MOTION ASKING FOR HIS DISQUALIFICATION. THE SEVENTH CIRCUIT COURT OF APPEALS FURTHER STATED THAT "WE THINK THAT THIS LANGUAGE[455(a)]IMPOSES A DUTY ON THE JUDGE TO ACT SUA SPONTE, EVEN IF NO MOTION OR AFFIDAVIT IS FILED". BALISTRIERI, AT 1202.

JUDGES DO NOT HAVE DISCRETION NOT TO DISQUALIFY THEMSELVES. BY LAW, THEY ARE BOUND TO FOLLOW THE LAW. SHOULD A JUDGE NOT DISQUALIFY HIMSELF AS REQUIRED BY LAW, THEN THE JUDGE HAS GIVEN ANOTHER EXAMPLE OF HIS "APPEARANCE OF PARTIALITY" WHICH, HAS EVIDENCED AN "APPEARANCE OF PARTIALITY" AND HAS POSSIBLE DISQUALIFIED HIMSELF/HERSELF. NONE OF THE ORDERS BY ANY JUDGE WHO HAS BEEN DISQUALIFIED BY LAW WOULD APPEAR TO BE VALID. IT WOULD APPEAR TO BE VALID. IT WOULD APPEAR THAT THEY ARE VOID AS A MATTER OF LAW, AND ARE OF NO LEGAL FORCE OR EFFECT.

SHOULD A JUDGE ISSUE NOT DISQUALIFY HIMSELF, THEN THE JUDGE VIOLATION OF THE DUE PROCESS CLAUSE OF THE U.S. CONSTITUTION. UNITED STATES v. SCIUTO, 521 F.2d 842, 845(7th Cir. 1996) (THE RIGHT TO A TRIBUNAL FREE FROM BIAS OR PREJUDICE IS BASED, NOT ON SECTION 144, BUT ON THE DUE PROCESS CLAUSE".).

SHOULD A JUDGE ISSUE ANY ORDER AFTER HE HAS BEEN DISQUALIFIED BY LAW, AND IF THE PARTY HAS BEEN DENIED OF ANY OF HIS/HER PROPERTY, THEN THE JUDGE MAY HAVE BEEN ENGAGED IN THE FEDERAL CRIME OF "INTERFERENCE WITH INTERSTATE COMMERCE". THE JUDGE HAS ACTED IN THE JUDGE'S PERSONAL CAPACITY AND NOT IN THE JUDGE'S JUDICIAL CAPACITY. IT HAS BEEN SAID THAT THIS JUDGE, ACTING IN THIS MANNER, HAS NO MORE LAWFUL AUTHORITY THAN SOMEONE'S NEXT-DOOR NEIGHBOR (PROVIDED THAT HE IS NOT A JUDGE). HOWEVER SOME JUDGES MAY NOT FOLLOW THE LAW.

IF YOU WERE A NON-REPRESENTED LITIGANT, AND SHOULD THE COURT NOT FOLLOW THE LAW AS TO NON-REPRESENTED LITIGANTS, THEN THE JUDGE HAS EXPRESSED AN "APPEARANCE OF PARTIALITY" AND, UNDER THE LAW, IT WOULD SEEM THAT HE/SHE HAS DISQUALIFIED HIM/HERSELF.

HOWEVER, SINCE NOT ALL JUDGES KEEP UP TO DATE IN THE LAW, AND SINCE NOT ALL JUDGES FOLLOW THE LAW, IT IS POSSIBLE THAT A DISQUALIFICATION IS REQUIRED" AND THAT A JUDGE "MUST BE DISQUALIFIED" UNDER CERTAIN CIRCUMSTANCES.

THE SUPREME COURT HAS ALSO HELD THAT IF A JUDGE WARS AGAINST THE CONSTITUTION, OR IF HE ACTS WITHOUT JURISDICTION, HE HAS ENGAGED IN TREASON TO THE CONSTITUTION. IF A JUDGE ACTS AFTER HE HAS BEEN AUTOMATICALLY DISQUALIFIED BY LAW, THEN HE IS ACTING WITHOUT JURISDICTION, AND THAT SUGGEST THAT HE IS THEN ENGAGING IN CRIMINAL ACTS OF TREASON, AND MAY BE ENGAGED IN EXTORTION AND THE INTERFERENCE WITH INTERSTATE COMMERCE.

COURTS HAVE REPEATEDLY RULED THT JUDGES HAVE NO IMMUNITY FOR THEIR CRIMINAL ACTS. SINCE BOTH TREASON AND THE INTERFERENCE WITH INTERSTATE COMMERCE ARE CRIMINAL ACTS, NO JUDGE HAS IMMUNITY TO ENGAGE IN SUCH ACTS; AND

INCLUDED BUT NOT LIMITED FOR ALL THE FOLLOWING CASES 4:09-cr-00076-DLH-1 and 1:10-cr-00041-CBR-1-2 and 3:10-cv-00030-RRE-CBK and APPEALS CASES #10-2010, 10-2709, 10-3266, 11-1462 AND STATES AS FOLLOWS

DISHONOR/COUNT/CLAIM/VOID

1. ON 9-24-2009, LYNN C. JORDHEIM CAUSED DISHONOR BY FILING THE FICTICIOUS/FRAUDULENT INDICTMENT CASE NO. 4:09-cr-00076-DLH WITHOUT GRAND JURY CONCURANCE, OR VOTING BY BALLOT WITH TWELVE(12) GRAND JURORS CONCURRING FOR INDICTMENT, VIOLATION OF RULE 6; AND THE ACTS OF CONGRESS AND THE CONSTITUTION, AND WAS A "STAR CHAMBER PROCEEDING". SEE EXHIBIT (1).

DISHONOR/COUNT/CLAIM/VOID

2. ON 9-24-2009, LYNN C. JORDHEIM REQUEST FOR WARRANT UPON FILING OF FRADULENT INDICTMENT WHEREAS IT IS VOID, ON ITS FACE, [106 F.2D 327] GARTHER v. UNITED STATES, 413 F.2D 1061.



DISHONOR/COUNT/CLAIM/VOID

3. ON 9-25-2009, CLARK COUNTY, NEVADA RECEIVED A VOID ARREST WARRANT IN VIOLATION AND DISHONOR FOR FED.R.CR.P., RULE 4(b)(1) AND RULE 9(b) SEE EXHIBIT 2, NO JUDGE SIGNATURE BY AND THROUGH SUPREME LAW, COURT RULES, ACTS OF CONGRESS AND THE CONSTITUTION, WHEREINFOR CASE 4:09-cr-00076-DLH AND 2:09-mj-00808-GWF-GWF-1 IS VOID ON ITS FACE, SEE EXHIBIT (1)(3).

DISHONOR/COUNT/CLAIM/VOID

4. ON 10-21-2009, CASE NO. 2:09-mj-00808-GWF-GWF-1, GEORGE FOLEY, JR. SIGNED THE ORDER OF DETENTION, COMMITMENT TO ANOTHER DISTRICT, WAS A WRONGFUL ACT, IN VIOLATION OF RULE 4, 9, OF THE FED.R.CR.P., AND WAS A FRAUDULENT WARRANT ISSUED FROM THE COURT CLERK, RENEE SUIHL, DEPUTY CLERK, FOR NORTH DAKOTA, WHEREAS BY AND THROUGH FEDERAL MAGISTRATE ACT, THEY CANNOT SIT ON A CRIMINAL CASE BECAUSE OF ENTRAPMENT BY ESTOPPEL OF INFERIOR COURT, TITLE 28 IS ONLY A CONGRESSIONAL COURT, NOT OF We-The-People. SEE BRADLEY v. FISHER, 20 LED 646(1872); CHISHOLM v. GEORGIA, 2 DALLAS 471; 10 PETERS 474, PEDALFORD v. SAVANNAH, 14 GA 438 PEOPLE ARE NOT UNDER THE CONSTITUTION, OR THE ACTS OF CONGRESS, ESTOPPEL BY ENTRAPMENT: PRICE v. UNITED STATES, 56 F.2D 135(7TH CIR. FEB1932).

DISHONOR/COUNT/CLAIM/VOID

5. WHEREINFOR DAVID D. HAGLER ACTED IN CONSPIRACY WITH LYNN C. JORDHEIM FOR CONTINUING THE FRAUD AND WRONGDOING, IN VIOLATION OF TITLE 18 SECTION 1001, AND VIOLATING THE SUPREME LAW OF THE LAND, ACTS OF CONGRESS, STATUTORY VIOLATION AND THE CANONS OF JUDICIAL ETHICKS.

DISHONOR/COUNT/CLAIM/VOID

6. WHEREINFOR HIRELING/EMPLOYEE DANIEL L. HOVLAND ACTED IN CONSPIRACY TITLE 18 §2 AND §1001 FOR CASE NO. 4:09-cr-00076-DLH. DOCKET OMITTED HEREIN, AND REMOVED DOCUMENTS FROM BEING FILED FROM THE LITTLE SHELL NATION, WHEREAS IS "FRAUD UPON THE COURT".

DISHONOR/COUNT/CLAIM/VOID

7. WHEREAS HIRELING/EMPLOYEE CHARLES S. MILLER, JR. ACTED IN CONSPIRACY FOR CASE NO. 4:09-cr-00076-DLH, DOCKET OMITTED, TITLE 18 §2 AND §1001.

DISHONOR/COUNT/CLAIM/VOID

8. DOCKET NO. 21 ON 11-25-2009, MAGISTRATE JUDGE KAREN K. KLINE DEMONSTRATED DISHONOR/FRAUD UPON THE COURT BY WRONGFUL ACTS AGAINST THE ALLEGED DEFENDANT, EXECUTOR-MICHAEL-HOWARD-REED.® TM. AND COMING IN AS A THIRD PARTY INTERVENOR BY RULING ON MOTIONS 13, 14, 15, 16, 17, AND NOT REBUTING THE AFFIDAVIT WHEREAS KAREN K. KLINE WAS ACTING AS THE "ATTORNEY IN FACT" AND WAS THE "STAR CHAMBER COURT" ALL AT ONCE: WHICH IS IN VIOLATION OF DUE PROCESS DOCTRINE AND JUDICIAL MISCONDUCT; TRIAD ENERGY CORP v. McNELL, 110 FRD 382(SDNY 1986); RE ESTATE OF WELLS, 983 P.2D 279(KAN.APP. 1999); ROOK v. ROOK, 353 S.E.2D 756(Va 1987) AND DID NOT FOLLOW STATUTORY PROCEDURE; ARMSTRONG v. OBUCINO, 300 Ill 140, 143 (1921).

DISHONOR/COUNT/CLAIM/VOID

9. ON 11-25-2009, EXECUTOR-MICHAEL-HOWARD-REED.® TM. GAVE NOTICE OF COPYRIGHT BY COMMON LAW, AND NOTICE OF DECLARATION OF INDEPENDENCE; WHEREAS JUDGE KAREN K. KLINE, ON HER OWN ORDER DOCKET NO. 21 BECAME DISQUALIFIED JUDGE "DISQUALIFICATION OCCURS WHEN THE FACTS CREATING DISQUALIFICATION ARISE, NOT WHEN THE DISQUALIFICATION IS ESTABLISHED". (CHRISTIE v. CITY OF EL CENTRO, SUPRA., 135 CAL.APP. 4TH AT P.776, 37 CAL.RPTR 3D 718) AND ALL ORDERS MADE BY DISQUALIFIED JUDGE ARE VOID. (CADENASSO v. BANK OF ITALY, (1932), 214 CAL. 562, 6 P.2D 944.

DISHONOR/COUNT/CLAIM/VOID

10. ON 11-30-2009, CASE NO. 4:09-cr-00076-DLH DOCKET ENTRY NO. 23, SUPPLEMENT, MISSING DOCUMENT PROVES THAT DUE PROCESS DOCTRINE, AND RULES OF COURT WERE VIOLATED, (OMITTED HEREIN AND DUELY CONSTITUTED).

DISHONOR/COUNT/CLAIM/VOID

11. ON 12-04-2009, MAGISTRATE JUDGE CSM, JR., VIOLATED THE EXECUTOR MICHAEL-HOWARD-REED.® TM. FOR APPOINTING FEDERAL PUBLIC DEFENDER ORELL SCHMITZ AS STANDBY COUNSEL; WHEREINFOR ACTING AS AN EXECUTOR-FIDUCIARY FOR ONE OF WE-THE-PEOPLE = EXECUTOR-MICHAEL-HOWARD-REED.® TM. IN AN ATTEMPT FOR PROCURMENT OF JURISDICTION. FREEDMAN BROTHERS FURNITURE v. DEPT OF REVENUE, 109 Ill.2D 202, 486 N.E.2D 893(1985).

DISHONOR/COUNT/CLAIM/VOID

12. WHEREAS DAVID D. HAGLER NEVER RESPONDED FOR THE AFFIDAVIT DOCKET NO. 25 IN 4:09-cr-00076-DLH (OMITTED) IN DAVID HAGLER RESPONSE FOR MOTION FOR DISMISSAL DOCKET NO. 31, 4:09-cr-00076-DLH ON 12-10-2009. WHEREAS NOW DOCUMENT 14, 25, 31, STAND AS CONTROLLING LAW BY AND THROUGH THE ADMINISTRATION PROCEDURE PROCESS, WHICH HAVE FULL FAITH AND CREDIT, OF CONGRESS, AND THE CONSTITUTION AS FINAL JUDGMENT FOR CASE NO. 4:09-cr-00076-DLH.

DISHONOR/COUNT/CLAIM/VOID

13. ON 12-21-2009, DOCKET NO. 32, DAVID D. HAGLER DID NOT RESPOND FOR THE DOCKET NO. 14, MEMORANDUM AND POINTS OF AUTHORITY FOR MOTION FOR REVIEW FOR RELEASE AS AFFIDAVIT AND REPRESENTATION AND WARRANTY FOR CONCLUSION FOR LAW; AND NEVER RESPONDED WITH A WRITTEN WAIVER FOR USING THE COPYRIGHT; AND DOCKET NO. 32, REFLECTS THIS AND WAS CONSIDERED NOTICE OF FAULT AND COMPLAING. WHEREAS AFFIDAVIT STANDS AS LAW. SEE DISHONOR/COUNT/CLAIM/VOID NO. 11 OMITTED HEREIN.

DISHONOR/COUNT/CLAIM/VOID

14. ON 12-30-2009, DOCKET NO. 34, LODGMENT OF VOID AS AFFIDAVIT AND CONCLUSION OF LAW AND ORDER. WHEREAS THE CLAIMANT-EXECUTOR-MICHAEL-HOWARD-REED.®TM. WAS DENIED DUE PROCESS AS FOR DAVID D. HAGLER NEVER RESPONDED FOR THE AFFIDAVIT. AND SERVED AS DEFAULT JUDGMENT THE VOID WAS NEVER REBUTTED WHEREAS THIS WAS THE SECOND TIME THE EXECUTOR WAS NOT AFFORDED DUE PROCESS.

DISHONOR/COUNT/CLAIM/VOID

15. ON 1-05-2010, DOCKET NO. 37, DANIEL L. HOVALAND VIOLATED THE SUPREME LAW OF THE LAND, AND THE CANONS OF JUDICIAL ETHICS, AND THE CONSTITUTION BY COMING INTO THE CONTRACT OF EXECUTOR-MICHAEL-HOWARD-REED.®TM. AND DEEMING IT NULL AND VOID, WHEREIN FOR THIS CREATES A GROSS VIOLATION OF DUE PROCESS AND VIOLATING THE CONTRACT WHEREAS DANIEL L. HOVALAND IS JUST A HIRELING/EMPLOYEE JUDICIAL OFFICER OF WE-THE-PEOPLE AND MUST ADHERE TO THE CONSTITUTION AND GUILT FOR OVERTHROWING AND THROWING OFF THIS FORM OF GOVERNMENT AND BECAME DISQUALIFIED WHEN HE CAME IN AS A THIRD PARTY INTERVENOR AND ACTED AS AN ATTORNEY FROM THE BENCH BY ANSWERING THE AFFIDAVIT DOCUMENT NO. 25 AND CREATED A PRIVATE CONTRACT BY VIOLATING THE RULES OF THE COURT AND ALL TREATIES, CONSTITUTION, ARTICLE 6 §2, AND IN DOCUMENT 25, AFFIDAVIT IN SUPPORT OF MOTION TO DISMISS.

DISHONOR/COUNT/CLAIM/VOID

16. ON 1-22-2010, EXECUTOR-MICHAEL-HOWARD-REED.®TM. FILED LODGMENT OF BILL QUIATIMET AS AFFIDAVIT, WHEREAS DANIEL L. HOVALAND ONCE AGAIN VIOLATED DUE PROCESS AND THE ACTS OF CONGRESS, TREATY, CONSTITUTION, THE DOCTRINE OF DECLARATORY JUDGMENT. AND WE-THE-PEOPLE, AND WAS A SECOND VOID ORDER.

DISHONOR/COUNT/CLAIM/VOID

17. ALSO ON 1-22-2010, EXECUTOR-MICHAEL-HOWARD-REED.®TM. FILED A LODGMENT OF VOID ORDER ON DOCKET NOS. 34, 43 ON 1-5-2010, WHERE AS JUDGE HOVALAND CAME IN AS A PRIVATE INTERLOPER ONCE AGAIN AND VIOLATED DUE PROCESS ON THE EXECUTOR-MICHAEL-HOWARD-REED.®TM. ONE OF WE-THE-PEOPLE AND AMONG OTHER NATIONS WITCH WE WILL LEAVE FOR ANOTHER DAY.

DISHONOR/COUNT/CLAIM/VOID

18. ON 1-22-2010, EXECUTOR-MICHAEL-HOWARD-REED.®TM. ICC V203 FILED NOTICE OF DECLARATORY JUDGMENT AND FOREVER BARRED AND COLLATERAL ESTOPPEL BY RES JUDICATA NUNC PRO TUNC, WHEREAS JUDICIAL OFFICER DANIEL L. HOVALAND ONCE AGAIN VIOLATED AND COMMITTED A WRONGDOING FOR THIS DUE PROCESS, AND VIOLATION OF SUPREME COURT DECLARATORY JUDGMENT. ICC VOL.203, SEE SENATE DOCKET NO. 444, AND 13667 18A ICC 1964, WHICH IS CONTROLLING ON THE COURTS IN RE RAMBERG ESTATE(1940) 20 N.Y.S.2D 619,174, MISC., 306;AND WHEN RATIFIED IT BECAME THE SUPREME LAW OF THE LAND AND THE DISTRICT COURT HAS NO POWER FOR QUESTIONING THE RIGHTS OF THE NATION OR GTRIVE, WITH WHOM ITS MADE: THE ACTION OF THE TREATY MAKING POWER IS CONCLUSIVE; MAIDEN v. INGERSOLL(1859) 6 MICH. 367;RIVERS v. ROADWAY EXPRESS, INC., 501 US 298,312; 114 S.Ct. 1510, 128 L. Ed.2d 274(1994)).

DISHONOR/COUNT/CLAIM/VOID

19. ON 1-25-2010, JUDICIAL OFFICER FOR THE COURT DANIEL L. HOVALAND, ONCE AGAIN VIOLATED DUE PROCESS OF THE COURT BY ISSUING AN ORDER IN VIOLATION OF THE LAW AND VIOLATION OF THE COURT, AND RULES OF COURT BECAUSE IT DID NOT HAVE A MEMORANDUM POINTS OF AUTHORITIES AND CONCLUSIONS OF LAW, AND ONE CANNOT RULE ON HIS VOID.

DISHONOR/COUNT/CLAIM/VOID

20. ON 1-25-2010, SEE DOCKET NO. 47, DANIEL L. HOVALAND JUDICIAL OFFICER ONCE AGAIN COMMITTED A WRONGDOING BY WAY OF FICTITIOUS VOID ORDER FOR TRIAL RESET FOR 1-27-2010.

DISHONOR/COUNT/CLAIM/VOID

21. ON 1-28-2010, SEE DOCKET NO. 51, OMITTED, IS VOID ON ITS FACE, AND IS PROOF OF VIOLATION OF DUE PROCESS DOCTRINE.

DISHONOR/COUNT/CLAIM/VOID

22. ON 2-5-2010, SEE DOCKET NO. 55, JUDICIAL OFFICER CHARLES S. MILLER ORDER IS ANOTHER ACT OF CONSPIRACY AGAINST ONE-OF-WE-THE-PEOPLE = EXECUTOR-MICHAEL-HOWARD-REED. ®TM. FOR THROWING OFF AND OVERTHROWING THE ORIGINAL FORM OF GOVERNMENT.

DISHONOR/COUNT/CLAIM/VOID

23. ON 2-11-2010, SEE DOCKET NO. 56, PRELIMINARY ORDER IS VOID, AND VIOLATION OF GUARANTEED PROTECTED RIGHTS BY AND THROUGH THE CONSTITUTION, AMENDMENT II. 305 US 165 STOLL v. GOTTLIEB.

DISHONOR/COUNT/CLAIM/VOID

24. ON 4-08-2010, SEE DOCKET NO. 60, OMITTED, WAS VOID ON ITS FACE FROM DOCKET NO. 56, WHEREAS ONE CANNOT ISSUE ORDERS FROM A VOID AND NO JURISDICTION, VIOLATION OF GUARANTEED PROTECTED RIGHTS. 305 US 165, STOLL v. GOTTLIEB.

DISHONOR/COUNT/CLAIM/VOID

25. ON 4-23-2010, SEE DOCKET NO. 65, JUDICIAL OFFICER, DANIEL L. HOVALAND COMMITTED A WRONGFULL ACT IN ISSUING JUDGMENT KNOWING IT WAS VOID AB-INITIO, AND VIOLATING DUE PROCESS.

DISHONOR/COUNT/CLAIM/VOID

26. ON 5-6-2010, SEE DOCKET NO. 70 AND 71, OMITTED, EXECUTOR-MICHAEL-HOWARD-REED.®TM. FILED SECOND NOTICE OF DEFAULT OF COPYRIGHT AND TRUE BILL AND DOCKET NO. 71, OMITTED, AFFIDAVIT IN SUPPORT. WHEREAS OF TO DATE THERE HAS BEEN NO RESPONSE FOR THE AFFIDAVIT, AND IS FURTHER DUE PROCESS VIOLATION.

DISHONOR/COUNT/CLAIM/VOID

27. ON 5-7-2010, SEE DOCKET NO. 75, OMITTED, JUDICIAL OFFICER IN VIOLATION OF THE COURT, AND ISSUED A FINAL ORDER OF FORFEITURE OF PROPERTY ON A VOID CASE.

DISHONOR/COUNT/CLAIM/VOID

28. ON 5-7-2010, SEE DOCKET NO. 76, OMITTED, ORDER BY THE UNITED STATES COURT OF APPEALS(USCA) APPOINTED FEDERAL PUBLIC DEFENDER FOR CASE NO. 10-2010 USCA, REPRESENTING THE EXECUTOR-MICHAEL-HOWARD-REED.®TM. AND IS ACTING AS A FIDUCIARY FOR EXECUTOR, ONE-OF-WE-THE-PEOPLE IN VIOLATION OF DUE PROCESS AND WRONGFUL CONVERSION, AND IS ACTING AS THE EXECUTOR OF THE ESTATE, WHICH IS GENOSIDE.

DISHONOR/COUNT/CLAIM/VOID

29. ON 7-21-2010, EXECUTOR-MICHAEL-HOWARD-REED.®TM. FILED THE APPELLANT BRIEF AND THIS COURT USCA-8 RETURNED THE BRIEF OF THE EXECUTOR WHEREINFOR IS VIOLATION OF DUE PROCESS, BECAUSE THEIR APPOINTED FEDERAL DEFENDER DID NOT REPRESENT THE REAL PARTY AT TRIAL, AND WOULD NOT TALK TO THE REAL PARTY IN INTEREST FOR THE BRIEF. WHEREINFOR IT WAS NEVER BRIEFED BY MICHAEL-HOWARD-REED.

DISHONOR/COUNT/CLAIM/VOID

30. ON 03-08-2011, JAMES B. LOKEN, KERMIT EBYE, D. PRICE MARSHALL AFFIRMED THE DISTRICT COURT JUDGMENT, WHEREAS THE USCA-8 VIOLATED DUE PROCESS AND BECAME CO-CONSPIRATORS IN VIOLATION OF DUE PROCESS, AND BY THEIR OPINION THE JUDICIAL OFFICERS OF THE COURT LOST ALL IMMUNITY AND DAVID D. HAGGLER AND DANIEL L. HOV-ALAND, NEVER ANSWERED THE AFFIDAVITS, SEE DOCKET NOS. 14, 25, 32, WHEREAS THIS PROVES YOU COMMITTED THE WRONGDOING AS AFFIRMED BY THEIR OWN SIGNATURE AS EVIDENCE AND IT FURTHER PROVES THAT ALL JUDICIAL OFFICERS HEREINFORH ARE ALL IN CONSPIRACY; FOR COMMITTING FRAUD UPON THE COURT, AND ACTING AS A THIRD PARTY INTERVENOR WITH AN AGENDA FOR OVERTHROWING THE ORIGINAL FORM OF GOVERNMENT, IN ALL CASE NOS. 4:09-cr-00076-DLH AND 1:10-cr-00041 AND 10-2010.

DISHONOR/COUNT/CLAIM/VOID

31. THE USCA-8, IS IN CO-CONSPIRACY FOR COMMITTING GENOSICE ON WE-THE-PEOPLE-HEIR/SETTLOR/CREATOR FOR THE UNITED STATES OF AMER-



ICA AND THIS CONSTITUTIONAL FORM OF GOVERNMENT.

DISHONOR/COUNT/CLAIM/VOID

32. WHEREINFOR THE USCA-8 JUDICIAL OFFICERS KERMIT E. BYE, JAMES B. LOKEN, D. PRICE MARSHALL, HAVE ALL COMMITTED FRAUD UPON THE COURT AS ACTING AS A FIDUCIARY OVER ONE-OF-WE-THE-PEOPLE- EXECUTOR-MICHAEL-HOWARD-REED.®TM. WHEREAS IS NOT A CORPORATION, AND COMMITTING GENOSIDE, AND THROWING OFF, AND OVERTHROWING THE ORIGINAL GOVERNMENT.

DISHONOR/COUNT/CLAIM/VOID

33. WHEREAS USCA-8, CASE NO. 10-2010, IS VOID ON ITS FACE AND COURT CLERK JUDICIAL OFFICER MICHAEL E. GUNS IS IN CONSPIRACY OF THE SAME.

DISHONOR/COUNT/CLAIM/VOID

34. ON 06-08-2010, TOMAS J. WRIGHT CAUSED DISHONOR AND FILED THE FICTICIOUS/FRAUDULENT INDICTMENT CASE NO. 1:10-cr-00041-DLH WITHOUT GRAND JURY CONCURRENCE, OR VOTING BY BALLOT WITH TWELVE(12) GRAND JURORS CONCURRING FOR IDICTMENT. WHEREAS IN VIOLATION OF RULE 6, AND THE ACTS OF CONGRESS AND THE CONSTITUTION. SEE EXHIBIT (1).

DISHONOR/COUNT/CLAIM/VOID

35. ON 06-08-2010, THOMAS J. WRIGHT VIOLATED THE SUPREME LAW OF THE LAND, RULES OF CRIMINAL PROCEDURE, AND THE CONSTITUTION AND DID NOT SERVE ALLEDGED DEFENDANT BEFORE THE GRAND JURY RULE 6 WHERE AS THIS WAS "STAR CHAMBER" PROCEDURE TO DEPRIVE A CITIZEN OF FAIR HEARING. CONSEQUENTLY, IF THE COMMISSION HAD BASED ITS DECISION UPON MATTER NOT INTRODUCED IN EVIDENCE[106 F.1D 327]THE HEARING, AS WAS DONE IN UNITED STATES v. ABILENE & SOUTHERN R.CO. WOULD HAVE BEEN VOID, AND AN ORDER OR DECISION UNSUPPORTED BY EVIDENCE IS VOID". WHEREINFOR THE INDICTMENT IS VOID ON ITS FACE GAITHER v. UNITED STATES, 413 F.2D 1061.

DISHONOR/COUNT/CLAIM/VOID

36. ON 06-15-2010, SEE DOCKET NO. 10, COURT PROCEEDINGS HELD BEFORE MAGISTRATE JUDGE ALICE R. SENECHAL, HIRELING/EMPLOYEE/JUDICIAL OFFICER OF THE COURT DISHONORED THE LAWS OF THE COURT ACTS

OF CONGRESS, UNITED STATES v. LEE, 106 US 196, AND THE SUPREME LAW OF THE LAND SUPREME COURT DECISION, "SHALL," "WILL," "MUST" FOLLOW RULES OF COURT AND ALL ACTS OF CONGRESS, AND THE CONSTITUTION. RIVERS v. ROADWAY EXPRESS, INC., 511 US 298, 312, 114 S. Ct. 1510, 128 L. Ed. 2d 274(1994); HEWITT v. HELMS, 459 US 46 AND 494 US 221(6); MELO v. UNITED STATES, 505 F.2D 1026; ROSEMOND v. LAMBERT, 469 F.2D 416; AS STATES AS FOLLOWS

1. ON 06-15-2010, JUDGE ALICE R. SENECHAL BECAME A TRESPASSER OF THE COURT WHEN ALICE R. SENECHAL DID NOT PROVE JURISDICTION ON THE RECORD AND THE JUDICIAL ACT, BASSO v. UTAH POWER AND LIGHT, AND LOST JURISDICTION AND OF THIS SHE/HE IS NOT THE JUDGE, SHE HAS CEASED TO BE A JUDGE. BRADLEY v. FISHER, 20 LEd 646(1872);
2. TRANSCRIPT OF DIGITAL AUDIO RECORDING OF INITIAL APPEARANCE AND ARRAIGNMENT, OMITTED HEREIN, CASE NO. 1:10-cr-00041-1; AND 4:09-cr00076-DLH;
3. WHEREINFOR ALL PROCEEDINGS ARE VOID ON THEIR FACE, VALLEY v. NORTHERN FIRE & MARINE INS. CO., 254 US 348(1920) AND THIS IS EVEN PRIOR TO REVERSAL, ELLIOTT v. PEIRSOL, 1 PET 328, 26 US 340; OLD WAYNE LIFE ASSOC. v. McDONOUGH, 204 US 8;
4. ACCORDING TO LONG v. SHOREBANK DEVELOPMENT CORP., 182 F. 3D 548, 561(7th Cir. 1999) AVOID JUDGMENT[INCLUDES] JUDGMENT ENTERED BY A COURT WHICH LACKS JURISDICTION OVER THE PARTIES OR THE SUBJECT MATTER, OR LACKS INHERENT POWER TO ENTER THE PARTICULAR JUDGMENT OR ORDER PROCURED BY FRAUD, CAN BE ATTACKED AT ANY TIME, IN ANY COURT, EITHER DIRECTLY OR COLLATERALLY; WHEREINFOR THOMAS J. WRIGHT USED THE OFFICE OF THE AUSA FOR CLEANING UP DANIEL L. HOVALAND AND LYNN JORDHEIM AND DAVID D. HAGGLER'S PRIVATE CONTRACT, IN CASE NO. 4:09-cr-00076-DLH-1-2 IN THE ADMINISTRATIVE-PROCESS FROM THE ACTS OF CONGRESS, TITLE 5, DOCKET NOS. 14, 25, 31 AND THE FRAUD UPON THE COURT, AND THE VIOLATION OF THE COPYRIGHT OF MICHAEL-HOWARD-REED.®TM. AND DECLARATION OF INDEPENDENCE;
5. THE, INDICTMENT, FILED ON 6-08-2010, FROM ITS INCEPTION WAS A COMPLETE NULLITY AND WITHOUT LEGAL EFFECT HOLSTEIN v. CITY OF CHICAGO, 803 F.SUPP.205(N.D.Ill. 1992)AFFIRMED 29 F.3D 1145 (7TH Cir. 1994);
6. IN ORNER v. SHALALA, 30 F.3D 1307(10TH Cir. 1999) HELD THAT "WHEN THE RULE PROVIDING FOR RELIEF FROM A VOID JUDGMENT IS APPLICABLE, RELIEF IS NOT DISCRETIONARY, BUT MANDATORY"(EMPHASIS ADDED) SMALL v. BATISTA, 22 F.SUPP.2D 230, 231(SDNY 1998);
7. "COURT MUST PROVE ON THE RECORD ALL JURISDICTION FACTS RELATED TO THE JURISDICTION ASSERTED" LANTANA v. HOPPER, 102 F.2D 188; CHICAGO v. NEW YORK, 37 F.SUPP. 150, AND CAN BE CHALLENGED AT ANY TIME; BASSO v. UTAH POWER AND LIGHT CO., 495 F.2D 906, 910. AND ON 6-15-2010, DOCKET NO. 10, THE COURT DID NOT.

DISHONOR/COUNT/CLAIM/VOID

37. WHEREINFOR ALL PROCEEDINGS 12-21-2009, CASE NO. 1:10-cr-00041-DLH-CBK IS VOID ON ITS FACE; AND USCA NO. 10-2010, NO. 11-1462 WHEN THOMAS J. WRIGHT, ET AL., AND THE JUDICIAL OFFICER OF THE COURT DID NOT PROVE JURISDICTION; ROOK v. ROOK, 233 Va. 92, 95, 353 SE 2D 756, 758(1987); PEOPLE EX REL. GOWDY v. BALTIMORE & OHIO R.R. CO., 385 Ill. 86, 92, 52 N.E. 2D 255(1943).

DISHONOR/COUNT/CLAIM/VOID

38. WHENEVER ANY OFFICER OF THE COURT COMMITS FRAUD DURING A PROCEEDING IN THE COURT HE/SHE IS ENGAGED IN "FRAUD UPON THE COURT" IN BULLOCH v. UNITED STATES, 763 F.2d 1115, 1121(10TH Cir. 1985) "IT IS WHERE THE COURT MEMBER IS CORRUPTED OR INFLUENCED IS ATTEMPTED OR WHERE THE JUDGE HAS NOT PERFORMED HIS/HER JUDICIAL FUNCTION--THUS WHERE THE IMPARTIAL FUNCTIONS OF THE COURT HAVE BEEN DIRECTLY CORRUPTED" ON 6-8-2010, THE INDICTMENT, ON 6-15-2010, SEE DOCKET NO. 10, OMITTED.

DISHONOR/COUNT/CLAIM/VOID

39. "FRAUD UPON THE COURT" HAS BEEN DEFINED BY THE 7TH CIRCUIT COURT OF APPEALS TO "EMBRACE THAT SPECIES OF FRAUD WHICH DOES, OR ATTEMPTS TO, DEFILE THE COURT ITSELF, OR IS A FRAUD PERPETRATED BY OFFICERS OF THE COURT SO THAT THE JUDICIAL MACHINERY CAN NOT PERFORM IN THE USUAL MANNER ITS IMPARTIAL TASK OF ADJUDGING CASES THAT ARE PRESENTED FOR ADJUDICATION" KENNER v. C.I.R., 387 F.3D 689(1968); MOORE'S FEDERAL PRACTICE, 2D ED., p.572, 9160.23. THE 7TH CIRCUIT FURTHER STATED "A DECISION PRODUCED BY FRAUD UPON THE COURT IS NOT IN ESSENCE A DECISION AT ALL, AND NEVER BECOMES FINAL; TOMAS J. WRIGHT DID NOT ANSWER THE MOTION ON 7-12-2010, SEE DOCKET NO. 25 AND THE JUDICIAL OFFICER FOR THE COURT ON 8-02-2010, SEE DOCKET NO. 45 DENYING RELIEF, FROM MOTION 21 THROUGH 40.

DISHONOR/COUNT/CLAIM/VOID

40. ON 8-10-2010, MICHAEL E. GAUS, COURT CLERK DISMISSED THE INTERLOCUTORY APPEAL ON CHARLES B. KORNMAN ORDER DOCKET NO. 37, 44, 45, AND ON 8-10-2010, DOCKET NO. 48 JUDGMENT OF USCA-8 DISMISSED FOR LACK OF JURISDICTION, APPEAL IS PREMATURE; WHEREAS MICHAEL E. GAUS AND ALL THE JUDICIAL OFFICERS VIOLATED THE RULES OF APPEAL, RULE 4, AND HAVE COMMITTED FRAUD UPON THE COURT.

DISHONOR/COUNT/CLAIM/VOID

41. WHEREINFOR ALL ORDERS, MEMORANDUMS, NOTICES, FROM CHARLES B. KORNMAN AND ALICE R. SENECHALL, AND THE UNITED STATES COURT OF APPEALS, USCA-8, FOR CASE NO. 1:10-cr-00041-DLH-EBK-1-2 AND USCA-8, NOS. 10-2704, 10-3266, 11-1462 ARE VOID ON THEIR FACE, AND ARE LIKE LOOKING AT A BLANK PIECE OF PAPER: GOLDWIN V. HALE; UNITED STATES v. SCIUTO, 521 F.2D 842, 845 (7TH Cir. 1996); THE PEOPLE OF THE STATE OF ILLINOIS v. FRED E. STERLING, 357 Ill. 354; 192 N.E. 229(1934) AND THE PROCEEDINGS ARE VOID AGAINST THOMAS J. WRIGHT AND ALL ATTORNEYS. BRADLEY v. FISHER, 20 LED 646(1872), RANDALL v. BRIGNAM, 7 Wall 523, 19 LED 285.

CONCLUSION

WHEREFORE EVERYTHING STATED ABOVE ALL CASES, JUDGES, ATTORNEYS, COURT CLERKS, ET/AL HAS COMMITTED WRONGDOING AND VIOLATED THE SUPREME LAW OF THE LAND AND IS VOID ON ITS FACE, AND ALL SENTENCING ORDERS, JUDGMENTS, STATEMENT OF REASONS, FOR ALL CASES ARE VOID ON THE FACE AND IS LIKE LOOKING AT A BLANK PIECE OF PAPER.

THIS IS UNDER THE PENALTIES OF PERJURY BY AND THROUGH 28§1746.

DATED January 5, 2015

Respectfully

By

  
Executor-Michael-Howard-Reed.®TM.

without prejudice UCC 1-207

CERTIFICATE OF SERVICE

I DO HEAR BY CERTIFY THAT I CAUSED WRITTEN NOTICE OF DISHONOR AND AFFIDAVIT NOTICE OF FRAUD UPON THE COURT AND VOID NUNC PRO TUNC AB INITIO BY RES JUDICATA OF ALL PRESENTMENTS IN THE CASE'S ENTITLED "UNITED STATES OF AMERICA VS. MICHAEL HOWARD REED, GEGORY A. ALEN DAVIS, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH DAKOTA AND THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT COURT TO BE SENT IN SEALED ENVELOPE FIRST CLASS POSTAGE AFFIXED, ADDRESS TO:

U S Court House  
Court Clerk  
220 E Rosser AVE  
Room 476  
Bismarck, ND 58501  
United States

Thomas J Wright  
U.S. Attorney  
325 S 1ST AVE  
Suite 300  
Sioux Falls, SD 57104  
United States

LYNN C. JORDHEIM  
David D Hagler  
United States Attorney  
PO BOX 699  
United States Attorney ND  
Bismarck, ND 58502-0699  
United States

Eight Cir Us Court  
Att, Court Clerk  
316 Robert ST N  
Room 500  
Saint PAUL, MN 55101  
United States

Laura A Briggs  
Clerk, US, Dist, Court.  
921 OHIO ST  
Room 104  
Terre Haute, IN 47807  
United States

Jan L Holmgren  
U.S. Attorney  
PO BOX 2638  
Sioux Falls, SD 57101-2638  
United States

AND DEPOSITING SAME IN THE U.S. MAIL ON THIS 5TH DAY OF JANUARY 2015;

RESPECTFULLY

by:



Executor-Michael-Howard-Reed@tm  
with out prejudice U.C.C. 1-207.

BCC:



U.S. Department of Justice  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

EXHIBIT 1

Telephone: (202) 514-3642

November 1, 2013

Mr. Michael Howard Reed  
Register No. 04414-048  
Federal Correctional Institution  
Post Office Box 33  
Terra Haute, IN 47808

Re: Appeal No. AP-2013-04504  
DRC

VIA: U.S. Mail

Dear Mr. Reed:

This responds to your letter dated October 22, 2013, in which you notified this Office of an address change and inquired regarding the status of your appeal.

By letter dated September 18, 2013 (copy enclosed), this Office affirmed, on partly modified grounds, EOUSA's action on your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne D. Work".

FOR

Anne D. Work  
Senior Counsel  
Administrative Appeals Staff

Enclosure





U.S. Department of Justice  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

EXHIBIT

Telephone: (202) 514-3642

September 18, 2013

Mr. Michael Howard Reed  
Register No. 04414-048  
United States Penitentiary  
Post Office Box 1000  
Marion, IL 62959

Re: Appeal No. AP-2013-04504  
Request No. 12-4268  
SRO:SVR

VIA: U.S. Mail

Dear Mr. Reed:

You appealed from the action of the Executive Office for United States Attorneys (EOUSA) on your request for access to grand jury records concerning yourself located in the United States Attorney's Office for the District of North Dakota. Specifically, you requested grand jury testimony, grand jury evidence, and the grand jury voting ballot records.

After carefully considering your appeal, I am affirming, on partly modified grounds, EOUSA's action on your request. In order to provide you with the greatest possible access to responsive records, your request was reviewed under both the Privacy Act of 1974 and the Freedom of Information Act. This Office has determined that the records responsive to your request are exempt from the access provision of the Privacy Act. See 5 U.S.C. § 552a(j)(2); see also 28 C.F.R. § 16.81 (2013). For this reason, your appeal has been reviewed under the FOIA.

The FOIA provides for disclosure of many agency records. At the same time, Congress included in the FOIA nine exemptions from disclosure that provide protection for important interests such as personal privacy, privileged communications, and certain law enforcement activities.

Please be advised that EOUSA could locate no records concerning the portion of your request for records regarding the grand jury voting ballot. I have determined that EOUSA conducted an adequate, reasonable search for such records.

With regard to your request for grand jury evidence and transcripts, to the extent that such records exist, EOUSA properly withheld this information in full because it is protected from disclosure under the FOIA pursuant to 5 U.S.C. § 552(b)(3). This provision concerns matters specifically exempted from release by statute (in this instance, Rule 6(e) of the Federal Rules of Criminal Procedure, which pertains to the secrecy of grand jury proceedings).

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and

- 2 -

analyzed your appeal, your underlying request, and the action of EOUSA in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 301-837-1996; toll free at 1-877-684-6448; or facsimile at 301-837-0348.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean O'Neill", written in a cursive style.

Sean R. O'Neill  
Chief  
Administrative Appeals Staff

Local AO 442 (Rev. 07/09) Arrest Warrant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NORTH DAKOTA**  
**NORTHWESTERN DIVISION**

United States of America  
 v.

**MICHAEL HOWARD REED**

*Defendant*

Case No. 4:09-cr-076

**ARREST WARRANT**

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Michael Howard Reed

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment   
 ☐ Superseding Indictment   
 ☐ Information   
 ☐ Superseding Information   
 ☐ Complaint  
☐ Probation Violation Petition   
☐ Supervised Release Violation Petition   
☐ Violation Notice   
☐ Order of the Court

This offense is briefly described as follows:

Possession of Firearm and Ammunition by a Fugitive From Justice  
 Forfeiture Allegation



Date: 09/25/2009

/s/ Renee Svihl, Deputy Clerk

*Issuing officer's signature*

City and state: Bismarck, North Dakota

Renee Svihl, Deputy Clerk

*Printed name and title*

**Return**

This warrant was received on (date) 9/25/09 and the person was arrested on (date) 10/21/09  
 at (city and state) Clark County, Nevada

Date: 10/21/09

FBI, Nevada

*Arresting officer's signature*

Poy Diane Wexlerworth

*Printed name and title*

EXHIBIT 2

*Original*